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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Varier et al.

Application No./Patent No.: _____ Filed/Issued Date: 9/29/2003

Entitled: Dynamic Bandwidth Management Responsive
to Access Link State in Redundant Network Topologies

Packeteer, Inc., a Delaware Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel/Frame __, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

9/24/2003
Date

Robert W. Hon, Ph.D

Typed or printed name

[Signature]

Signature

Vice President, Research & Development

Title

PATENT APPLICATION
Attorney Docket 6533/53778

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Varier et al.

Serial No.: TBD

Filed: September ³⁰~~29~~, 2003

For: *Dynamic Bandwidth Management Responsive to Access Link State in Redundant Network Topologies*

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


Packeteer, Inc., a Delaware corporation, at 10201 N. De Anza Blvd., Cupertino, CA 95014, assignee of all right, title and interest to the application identified above, through its Vice President, Research & Development, Robert W. Hon, Ph.D, hereby appoints as its principal attorney, Mark James Spolyar, Reg. No. 42164, with full power of revocation and substitution, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected herewith.

All correspondence and telephone calls relating to this application should be directed to:

Customer Number: 30505

Law Office of Mark J. Spolyar
38 Fountain Street
San Francisco, CA 94114
415-826-7966
415-480-1780 fax.

Respectfully submitted,
PACKETEER, INC.

By: 
Robert W. Hon, Ph.D

Its: Vice President, Research & Development

Date: 9/24/2003

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)	Attorney Docket Number	6533/53778		
	First Named Inventor	Varier, et al.		
	COMPLETE IF KNOWN			
	Application Number			
	Filing Date	9/30/2003		
	Group Art Unit			
<input checked="" type="checkbox"/> Declaration Submitted with Initial Filing	OR	<input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	Examiner Name	

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Dynamic Bandwidth Management Responsive to Access Link State in Redundant Network Topologies

(Title of the Invention)

the specification of which

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY)

as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

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DECLARATION – Utility or Design Patent Application

Direct all correspondence to:



Customer Number
or Bar Code Label

30505

OR



Correspondence address below

Name Mark James Spolyar

Address 38 Fountain Street

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ZIP 94114

Country USA

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:



A petition has been filed for this unsigned inventor

Given Name

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Family Name

or Surname Varier

Inventor's
Signature

Roopesh R. Varier
9/24/03

Date September 24, 2003

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State CA

ZIP 94087

Country USA

NAME OF SECOND INVENTOR:



A petition has been filed for this unsigned inventor

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Family Name

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Inventor's
Signature

Guy Riddle

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State CA

ZIP 95033

Country USA



Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

Please type a plus sign (+) inside this box → ☐

PTO/SB/02A (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION

ADDITIONAL INVENTOR(S)

Supplemental Sheet

Page 1 of 1

Name of Additional Joint Inventor, if any:

☐

A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

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David

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Inventor's
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David Jacobson

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Name of Additional Joint Inventor, if any:

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A petition has been filed for this unsigned inventor

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Name of Additional Joint Inventor, if any:

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A petition has been filed for this unsigned inventor

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